

**COMMONWEALTH OF KENTUCKY
EXECUTIVE BRANCH ETHICS COMMISSION
CASE NO. 13-08**

**IN RE: RHONDA MONROE
ALLEGED VIOLATION OF KRS CHAPTER 11A**

**INITIATING ORDER
Initiation of Administrative Proceeding
And Formal Complaint**

The Executive Branch Ethics Commission (the “Commission”), upon its own motion, initiated a preliminary investigation of Rhonda Monroe (the “Respondent” or “Monroe”), pursuant to KRS 11A.080(1), on January 28, 2013.

At all relevant times the Respondent was a “public servant” as defined in KRS 11A.010(9), and thus subject to the jurisdiction of the Commission.

The Commission initiated the preliminary investigation to determine whether it has sufficient probable cause to believe the Respondent violated provisions of KRS Chapter 11A, Executive Branch Code of Ethics (also referred to herein as the “Ethics Code”).

The Commission focused its investigation upon the Respondent’s possible violation of the Ethics Code by using her influence in matters that involved a substantial conflict between her personal or private interest and her duties in the public interest; influencing a public agency in derogation of the state at large; using her official position to give her family member financial gain; and using her official position to secure or create privileges, exemptions, advantages, or treatment for others in derogation of the public interest.

The Commission notified the Respondent of the preliminary investigation by letter dated February 6, 2013. During the course of the investigation, the Commission

found probable cause to believe that violations of KRS Chapter 11A had occurred and voted on March 18, 2013, to initiate an administrative proceeding, pursuant to KRS 11A.080(4)(b) and KRS Chapter 13B, to determine whether the Respondent violated the Ethics Code as set forth in the Allegations of Violations, attached hereto and incorporated fully herein as Appendix A to this Initiating Order.

IT IS THEREFORE ORDERED that:

1. The Respondent shall file her answer to this Initiating Order within twenty (20) days from the date of service, verifying the truth and accuracy of any answer submitted.

2. The Respondent shall appear at a hearing to be scheduled by subsequent order and be prepared to defend against the Commission's allegations that she committed the Ethics Code violations set forth in the Allegation of Violations, attached hereto and incorporated fully herein as Appendix A to this Initiating Order.

3. A Hearing Officer will be appointed.

4. The Commission is represented by John R. Steffen, Executive Director and Counsel. He may be contacted through the Commission's office at (502) 564-7954.

5. All original material plus one copy shall be submitted to the Executive Branch Ethics Commission, #3 Fountain Place, Frankfort, Kentucky 40601.

6. Once a Hearing Officer is appointed, a copy of all materials shall be served on the designated Hearing Officer as well.

7. The Respondent has the right to legal counsel during this proceeding. If the Respondent retains legal counsel, that person shall file an appearance with the Commission, and thereafter all correspondence from the Commission to the Respondent

shall be mailed or delivered to the Respondent's attorney.

8. The Respondent has the right to examine upon request, at least five (5) days prior to the hearing, a list of witnesses the Commission expects to call at the hearing, any evidence that will be used at the hearing and any exculpatory information in the Commission's possession.

9. The Respondent has the right to subpoena witnesses on her own behalf. If the Respondent subpoenas witnesses, she shall pay for all costs associated with the subpoenas' issuance, including any applicable witness fees.

10. If the Respondent fails to attend or participate as required at any stage of the administrative hearing process without good cause shown, she may be held in default pursuant to KRS 13B.050(3)(h).

11. The Respondent has a right to appeal any final Commission order to the Franklin Circuit Court within thirty (30) days of service.

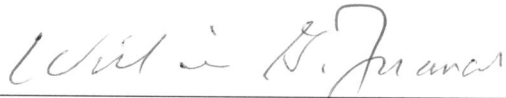
12. This proceeding is subject to KRS Chapter 11A, the Commission's regulations, the provisions of KRS Chapter 13B, and any Order issued by the Commission or its hearing officer issued during this administrative proceeding.

So ordered this 18th day of March 2013.

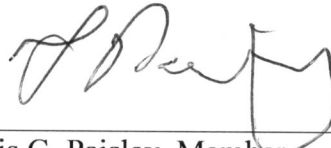
EXECUTIVE BRANCH ETHICS COMMISSION:



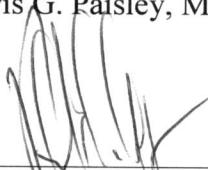
W. David Denton, Chair



William G. Francis, Vice-Chair



Lewis G. Paisley, Member



Richard L. Masters, Member



Martin E. Johnstone, Member

**APPENDIX A
CASE NO. 13-08
INITIATING ORDER**

ALLEGATION OF VIOLATIONS

The Respondent, Rhonda Monroe, was at all relevant times an employee of the Commonwealth of Kentucky, serving in the Kentucky Registry of Election Finance. As such, the Respondent was subject to the jurisdiction of the Commission. KRS 11A.010(9)(h).

During the course of its preliminary investigation, the Commission found probable cause to believe that Rhonda Monroe committed the following violations:

COUNT I

Rhonda Monroe, during her course of employment as the Assistant Executive Director, Kentucky Registry of Election Finance, used or attempted to use her influence in matters that involved a substantial conflict between her personal or private interest and her duties in the public interest; used or attempted to use any means to influence a public agency in derogation of the state at large; used her official position to obtain financial gain for her family member; and used or attempted to use her official position to secure or create privileges, exemptions, advantages, or treatment for others in derogation of the public interest.

Specifically, during 2007, Monroe used or attempted to use her knowledge of election finance laws, practices and procedures to assist her brother, who was running for a second term as the Commissioner of Agriculture, to fraudulently claim campaign-related expenses in order for him to obtain reimbursement from his campaign fund account for his personal financial gain. Early in 2007, Monroe advised her brother and his then current spouse to claim mileage and expenses for reimbursement from his campaign account for trips that he did not actually make and for trips that were actually made by his then current spouse for her private direct sales business.

These facts constitute violations of KRS 11A.020(1)(a), (b), (c), and (d).

KRS 11A.020(1)(a), (b), (c), and (d) provide:

- (1) No public servant, by himself or through others, shall knowingly:
 - (a) Use or attempt to use his influence in any matter which involves a substantial conflict between his personal or private interest and his duties in the public interest;
 - (b) Use or attempt to use any means to influence a public agency in derogation of the state at large;
 - (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family; or
 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

COUNT II

Rhonda Monroe, during her course of employment as the Assistant Executive Director, Kentucky Registry of Election Finance, used or attempted to use her influence in matters that involved a substantial conflict between her personal or private interest and her duties in the public interest; used or attempted to use any means to influence a public agency in derogation of the state at large; used her official position to obtain financial gain for her family member; and used or attempted to use her official position to secure or create privileges, exemptions, advantages, or treatment for others in derogation of the public interest.

Specifically, during 2007 and 2008, Monroe used or attempted to use her knowledge of election finance laws, practices and procedures to assist her brother, who was running for a second term as the Commissioner of Agriculture, to fraudulently claim campaign-related expenses in order for him to obtain reimbursement from his campaign fund account for his personal financial gain. Monroe provided her brother with receipts that she had incurred for her own personal expenses that she then guided him to submit for reimbursement from his campaign account for his own financial gain and in derogation of the state interest.

These facts constitute violations of KRS 11A.020(1)(a), (b), (c), and (d).

KRS 11A.020(1)(a), (b), (c), and (d) provide:

- (1) No public servant, by himself or through others, shall knowingly:
 - (a) Use or attempt to use his influence in any matter which involves a substantial conflict between his personal or private interest and his duties in the public interest;
 - (b) Use or attempt to use any means to influence a public agency in derogation of the state at large;
 - (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family; or
 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

COUNT III

Rhonda Monroe, during her course of employment as the Assistant Executive Director, Kentucky Registry of Election Finance, used or attempted to use her influence in matters that involved a substantial conflict between her personal or private interest and her duties in the public interest; used or attempted to use any means to influence a public agency in derogation of the state at large; used her official position to obtain financial gain for her family member; and used or attempted to use her official position to secure or create privileges, exemptions, advantages, or treatment for others in derogation of the public interest.

Specifically, in 2009, Monroe used or attempted to use her knowledge of election finance laws, practices, and procedures to assist her brother, who was re-elected to his second term as the Commissioner of Agriculture, to respond to an audit being performed by her own agency. Monroe drafted for her brother a letter, upon which her brother relied under her guidance, to respond to the Registry's audit. This letter drafted by Monroe was misleading in its contents and was intended to deceive the Registry about the expenses submitted for reimbursement from the

campaign account, some of which included the receipts Monroe had provided to her brother for reimbursement from the campaign account that she had incurred.

These facts constitute violations of KRS 11A.020(1)(a), (b), (c), and (d).

KRS 11A.020(1)(a), (b), (c), and (d) provide:

- (1) No public servant, by himself or through others, shall knowingly:
 - (a) Use or attempt to use his influence in any matter which involves a substantial conflict between his personal or private interest and his duties in the public interest;
 - (b) Use or attempt to use any means to influence a public agency in derogation of the state at large;
 - (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family; or
 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

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